

City of San Diego Complaint and Grievance/Appeal Procedure Under The Americans with Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the City of San Diego will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of San Diego does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The City of San Diego will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of San Diego’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of San Diego will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of San Diego, should contact either the department offering the program, service or activity directly or the Office of ADA Compliance and Accessibility at (619) 236-5979 no later than 48 hours before the scheduled event. The ADA does not require the City of San Diego to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden upon the City.

Complaint Process:

This Complaint and Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of San Diego. The City’s Personnel Policy governs employment-related complaints of disability discrimination.

The City of San Diego will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as City staff retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

A complaint can be made in writing, by phone, by Telecommunication Relay Service by dialing 711, or by email and must contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. The complaint should be submitted by the complainant or his/her designee no later than 60 calendar days after the alleged violation to:

Susan Madison
Executive Director and ADA Coordinator
1200 Third Avenue, Suite 924
MS 56G
San Diego, CA 92101
Phone: 619-236-5979
Email: adacompliance@saniego.gov

Within 7 calendar days after receipt of the complaint, Susan Madison or her designee will forward the complaint to the appropriate department for resolution. Within 7 calendar days, the responding department will assign a staff person to the complaint, and forward his/her name and contact information, in writing, to Office of ADA Compliance and Accessibility.

Susan Madison, her designee or the responsible department will respond in writing within 30 calendar days to the complainant with a Plan of Action for resolving the complaint. The response will be provided in a format accessible to the complainant (e.g., large print, Braille or electronic version). The response will include options for the substantive resolution of the complaint.

Appeal Process: If the response by Susan Madison or her designee is not satisfactory to the complainant, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to:

Tony Heinrichs
Deputy Chief Operating Officer
202 C Street, 9th Floor, MS 9A
San Diego, CA 92101
Phone: (619) 236-6274
Email: THeinrichs@saniego.gov

Within 7 calendar days after receipt of the appeal, Tony Heinrichs will confer with the complainant to discuss the complaint and possible resolution(s). Within 14 calendar days after the meeting, Mr. Heinrichs will respond in writing, in a format accessible to the complainant, with a final resolution of the grievance.

All written complaints received by Susan Madison or her designee, appeals to Tony Heinrichs, and related responses will be retained by the City of San Diego for at least three years.